

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SHARON K. BROWN,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of the
Social Security Administration,

Defendant.

Case No. 05-cv-1411-JLR-JPD

REPORT AND RECOMMENDATION

Plaintiff brought this action to seek judicial review of the denial of her application for disability benefits by the Commissioner of the Social Security Administration. *See* Dkt. 3. The parties have stipulated that this case should be reversed and remanded for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). *See* Dkt. 26.

Based on the stipulation of the parties, the Court recommends that this case be REVERSED and REMANDED for further administrative proceedings. The parties have stipulated that on remand, an Administrative Law Judge (“ALJ”) other than ALJ Filion should conduct proceedings including, but not limited to, a reassessment of plaintiff’s residential functional capacity (“RFC”). *See id.* at 1. Specifically, the ALJ shall (1) consider the period of time from November 8, 1994 through January 1, 2000, as well as February 3, 2001 to present,

1 (2) provide an “appropriate rationale with specific references to evidence of record in support of
2 the assessed limitations,” and (3) obtain vocational expert testimony to assist in determining the
3 effect of the assessed limitations on plaintiff’s occupational base. *Id.* at 1-2. Accordingly, after
4 determining plaintiff’s RFC, the ALJ should proceed as appropriate through the sequential
5 evaluation process.

6 A proposed order accompanies this Report and Recommendation.

7 DATED this 25th day of October, 2010.

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10 JAMES P. DONOHUE
United States Magistrate Judge